

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26638 of 2015

Arising Out of PS.Case No. -67 Year- 2013 Thana -BENIPATTI District- MADHUBANI

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1. Shashi Kant Mishra Son of Late Indra Kant Mishra,
2. Jay Shankar Mishra Son of Shashi Kant Mishra,
Both Resident of Village- Bailiya, P.S. Benipatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-07-2015 Heard both sides.

The petitioners, two in number, apprehend their arrest in a case under Section 341, 323, 386, 379/34 of the Indian Penal Code and Section 3(x) of SC/ST Act.

The informant made allegation that while construction work was going on in a school, both the petitioners came and abused the informant and stopped the construction work. It is submitted that petitioner no. 1, who is a member of the Shiksha Samiti of the School, earlier filed a complaint case against the Headmaster of the School (the informant of the present case) about defalcation of government money. The informant did not construct school building after withdrawing the money from the government account. The informant filed this case merely to put pressure.

Considering the facts that the petitioner no. 1 is a member of the Shiksha Samiti and he had earlier raised objection against the accused persons including the informant, who was Headmaster of the School, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Vivek Bhardwaj, Judicial Magistrate, 1st Class, Madhubani in Benipatti P.S. Case No. 67/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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